

RESOLUTION NO. 1305


BE IT RESOLVED By the City Council of the City of Lodi, County of San Joaquin, State of California, that said City shall make and enter into a contract with the State of California, through its Department of Public Works, a copy of which is hereunto annexed and marked "EXHIBIT A" for identification.

HE IT FURTHER RESOLVED That Hobert H. Rinn as Mayor of said Citg, and J. F. Blakely, as City Clerk of said City, be, and they are hereby authorized and directed to sign the said contract for and on behalf of said city and to affix the seal of the City of Lodi thereto.

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The foregoing resolution was duly and regularly passed and adopted at a special meeting of the City Council of the City of Lodi, duly and regularly held on the 26th day of February, 1947, commencing at the hour of 5:00 o'clock P.M. of said day; and said resolution is still in and of full force, operation and effect.

WITNESS my hand this 26th day of February, 1947.



City Clerk of the City of Lodi,
San Joaquin County, California.

EXHIBIT A.

AGREEMENT.

THIS AGREEMENT, made and entered into this 26th day of February, 1947, by and between CITY OF LODI, hereinafter called "City" and STATE OF CALIFORNIA, acting by and through its Department of Public Works, hereinafter called "State",

WITNESSETH that;

WHEREAS, State is now in possession of a right of way being a strip of land fifty feet in width, lying along, and situated twenty-five feet on each side of the north line of Sections 14 and 15, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, and

WHEREAS, State will require for highway widening, an additional strip of land fifty feet in width, lying along, adjacent to and on the southerly side of first said strip of land, to provide a minimum width of one hundred feet for said State right of way, and

WHEREAS, City will require a right of way approximately twenty feet in width for the location of concrete sewer outfall line or lines, along, adjacent to and on the southerly side of said highway for a distance of approximately 5240 feet where same will traverse the properties of Grace D. Reckman, Margaret Beckman, Florence Adele Blodgett, et al and Lydia Doris Rrodehl, and

WHEREAS, it is the desire of all parties hereto that said sewer outfall lines be located in such manner as to allow construction and maintenance of said sewer lines so as not to interfere with the construction and maintenance of future highway Improvement at this location.

NOW, THEREFORE, in consideration of the foregoing and the promises hereinafter contained, it is hereby agreed by the parties hereto as follows, to-wit:

1. State shall acquire in the name of the State of California, an additional strip of land seventy feet in width along and adjacent to the southerly side of the existing highway through aforesaid properties, being the fifty-foot required by State and the twenty-foot strip required by City.
2. City shall reimburse State, upon demand, a sum of money equal to two-sevenths of the total sum paid by State to said various property owners listed above.
3. Upon payment by City to State of said sum of money described in Paragraph 2 hereinbefore set out, State shall deliver to said City a Director's Deed in favor of said City conveying fee title to the south 20 feet of said 70 foot wide strip of land being acquired by the State with a provision in said deed that the State may from time to time use the surface of said 20' strip for stockpiling of materials or other purposes; said use, however, not in any way to affect the use of said 20 foot strip by the City for sewer purposes.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed by their proper officers thereunto duly

authorized the day and year first above written.

CITY OF LODI

By _____
Mayor

City Clerk

RECOMMENDED FOR APPROVAL:

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

District Right of Way Agent By _____
C. H. Purcell
Director of Public Works

District Engineer

Headquarters Right of Way Department

By _____

State Highway Engineer

By _____

Approved as to form and procedure:

Attorney for State of California

Attorney for City of Lodi